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ABSTRACT

The manual describes programs and resources available for preschool handicapped children and their families in conjunction with the New York State Education Department. Section 1 on assistance in securing services, reviews the services provided by Early Childhood Direction Centers, and outlines the role of local Committees on the Handicapped. Section 2 focuses on six types of services. The Deaf Infant Program is designed to help children learn to communicate and to provide parents with training that will assist them in understanding and communicating with their child. State operated and state supported schools provide services to blind, deaf, and severely physically handicapped children beginning at age 3. Other programs include the Experimental Prekindergarten Program and Head Start programs. Some special education programs receive funding when parents petition for the costs of the services through Family Court. Major steps in petitioning include identification of the child as handicapped, review of the petition by the State Education Department, and the issuance of a court order by the Family Court. Minimum criteria for prior approval for Family Court petitions must be met in the following areas: handicapping condition, date of birth, tuition/transportation costs, program requirements, dates of submission, transportation, and prevention of delays. Another program, the Special Education Training and Resource Centers, is geared to involve parents in the education of their young handicapped children through network training activities. Appended are a list of Early Childhood Direction Centers, sample forms, and a list of Special Education Training and Resource Centers in the New York State Training Network. (SW)

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SPECIAL EDUCATION FOR HANDICAPPED CHILDREN BIRTH TO FIVE

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The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Office for Education of Children with Handicapping Conditions
Albany, New York 12234
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INTRODUCTION

Professionals have long recognized the need for programming for handicapped children below the age of five. Current literature substantiates that the early years of a child's life are crucial in development. Skills develop rapidly during this time and form the building blocks upon which further learning and development will be based. Young handicapped children require special education and related services at the earliest possible age to assist them in this development. Intervention at this stage allows young handicapped children to gain skills which more fortunate youngsters develop normally. Many handicapped students below age five, who attend special preschool programs, are able to attend regular classes when they reach school age. Studies indicate that special education programming for preschool handicapped children is cost-effective over time. As a result, taxpayers will spend less money to provide education to these students as they proceed with their schooling.

Local education agencies in New York State may provide programming for handicapped children below five years of age but are not mandated to do so. However, there are a variety of special education options available for handicapped children under the age of five and their families. This manual describes programs and resources available in conjunction with the State Education Department. We anticipate that this will assist parents and professionals in understanding possible choices and application procedures, and in contacting personnel available for assistance.

Choosing a program for a preschool handicapped child is an important decision. Program selection should include determining whether an agency offers all services that a particular child requires. Young handicapped children should be educated in the least restrictive environment, in a setting closest to the child's residence and with nonhandicapped children whenever possible. These and other factors should be carefully considered when investigating and selecting a special education program for a preschool handicapped child.

If you require additional information after reviewing this manual, please contact:

New York State Education Department
Bureau of Program Development
Room 1069, Education Building Annex
Albany, NY 12234
(518) 474-5804 or 474-8917

ASSISTANCE IN SECURING SERVICES

EARLY CHILDHOOD DIRECTION CENTERS

What Are Early Childhood Direction Centers?

The New York State Education Department coordinates and supports a network of Early Childhood Direction Center projects. These centers, located in local education agencies, private agencies and hospitals, are designed to assist parents and professionals in matching the individual needs of young handicapped children to services within their regions. Parents or guardians of handicapped children age birth to five, local school districts, hospital programs and other agencies can all request assistance from the Direction Center in linking handicapped children birth to five to services.

Why Are Direction Centers Needed?

Parents may not be comfortable in arranging for services for their young handicapped child. They may not fully understand the necessary procedures or have the most up-to-date information about special education programs available in the particular locality. They may have experienced delays in the past, been faced with waiting lists and been discouraged by the unresponsiveness of the service delivery system. They may even give up trying to secure special education programs leaving their children unserved until they reach age five. Similarly, professionals may have to grapple with indistinct lines of authority, jurisdictional concerns, role confusion, disagreements regarding definitions and terms and a reluctance on the part of medical, social and educational personnel to communicate, much less cooperate, across agencies. These factors can result in untimely delays of needed services at this critical time in the young handicapped child's development. Early Childhood Direction Centers can assist parents and professionals in locating and arranging for services for these handicapped children.

What Services Do Direction Centers Provide?

Professional staff provide information relating to various aspects of the child's individual needs such as preschool and parent programs, transportation, medical, educational and social services, funding, evaluation and assessment services, and petitioning Family Court. In many cases the parents' needs may require more direct assistance. Direction Center staff then make referrals to agencies providing direct services and actively assist parents in all phases of arranging for programming for the child. Once an initial match to services has been made, systematic follow-up is conducted to ensure that existing services are responsive to the changing needs of child and family. Follow-up continues until the child reaches age five and enters the public school. The Direction Centers also report children identified as handicapped to local Committees on the Handicapped to assist school districts in keeping accurate census records and planning for programs.

Early Childhood Direction Centers work cooperatively with Regional Perinatal Centers whenever possible. When a child is identified by the Perinatal Center as handicapped and in need of special education services, coordination takes place to ensure that parents are referred to the Direction Center and that subsequent links to services occur. This is crucial in making sure handicapped infants begin to receive services as soon as the problem is identified. Follow-up occurs until the child reaches mandated school age.

State Education Department staff closely assist each Direction Center project throughout the state. Field visits are conducted regularly and project staff submit reports to the State Education Department on a bimonthly basis outlining accomplishments in the Direction Center region and specific regional needs. This helps in planning services at the State and local level.

A list of Early Childhood Direction Centers is included in Appendix A. Contact the Early Childhood Direction Center serving your geographic area for assistance in arranging for services.

COMMITTEE ON THE HANDICAPPED

Local Committees on the Handicapped (COH) can also provide useful information about services offered in their vicinity.

Each school district is required to establish a local Committee on the Handicapped whose main function is to work with parents and professionals in developing recommendations to the Board of Education regarding the classification, evaluation and educational programs of each handicapped child age 5-21. The membership of each COH must include a school psychologist, a teacher or administrator of special education, a physician and a parent of a handicapped child who lives in the district but is not employed by or under contract with the district, and any other persons appointed by the Board of Education. Since the COH is so closely involved with educational programs for school-age handicapped children, it can be a valuable source of information for parents and professionals of preschool handicapped children.

The COH maintains an accurate and up-to-date register of all children with handicapping conditions in its district who are entitled to attend public school during the next school year. This means that districts are required to identify all children who are known or thought to be handicapped beginning at age four. COHs are encouraged, however, to be aware of all handicapped children below the age of five in their district so that they can make plans for programming when these children reach school age. Many COHs review program placements for below age five handicapped children from their district. The State Education Department encourages district Committees on the Handicapped to offer their services to families of handicapped children below age five. Generally districts use December 1st as the cut-off date to determine the eligibility of a school-age child. It is the responsibility of local school districts to provide services to children whose fifth birthday is on or before December 1st of the school year. Children who would not be five until after this date would be considered as preschoolers. If local district policy provides services to all five year olds utilizing a later cut-off date, the district would be responsible for provision of special education services to

handicapped children utilizing this same date. Check with your local district to determine which date is used to determine eligibility as a school-age child.

Although local school districts are not required by law at this time to provide educational programs and services for children under age five, some districts voluntarily provide programming for handicapped children. Others may have information on programs in their locality that serve handicapped children below the age of five. Committees on the Handicapped can assist parents and professionals in locating programs and services for young handicapped children and can provide information to parents about their rights and opportunities to become actively involved in their child's education.

SERVICES

DEAF INFANT PROGRAM

Children below the age of three who are deaf are eligible to receive educational services in accordance with Section 4204-a of the Education Law. These programs are designed to help children learn to communicate and to provide parents with training that will assist them in understanding and communicating with their child. The Board of Regents has recently amended the Regulations of the Commissioner of Education with respect to services for deaf infants. These amended Regulations will become effective July 1, 1982.

Who Is Eligible?

Infants below three years of age, who are unable to respond to sounds presented at intensities of 60 decibels (db) sound pressure level (SPL) are eligible for services.

Application for Deaf Infants

In order to apply for services for a deaf infant, parents or legal guardians must file an "Application for Tuition Assistance Program for Deaf Infants" (See Appendix C). The form must be signed by the parents and include an otological and audiological evaluation summary completed by a physician and audiologist, who must also sign the form. The completed form should be forwarded to:

New York State Education Department
Bureau of Program Development
Room 1069, Education Building Annex
Albany, NY 12234.

If the infant is found to be eligible, a referral will be made by the Commissioner of Education to the approved facility nearest to the child's residence and the parents and agency will be notified. Infants and their parents can then begin receiving services.

Approved Facilities

In accordance with the Regulations of the Commissioner, facilities will be approved on an annual basis to provide services to deaf infants. Facilities applying to serve deaf infants must complete a "Facility Application for Provision of Services for Deaf Infants" (See Appendix B) and forward it to the State Education Department. This application provides information about the physical facility, audiological testing equipment, educational personnel, available services, program objectives, and instruction. Following a review of the application, Department staff will schedule and conduct a program review of the facility. Upon completion of a successful review, the facility will be approved to serve deaf infants. Facilities must meet the following standards as outlined in Section 200.7 (d) (5) (iii) of the Commissioner's Regulations:

- The facility shall provide an educational program for both infant and parents or legal guardians which shall include language development, auditory stimulation, speech and speech reading. Language development may include any system of oral or manual communication or combination of both. Such program shall also provide orientation to parents regarding the implications of deafness, developmental needs of deaf infants, and the psychosocial problems encountered by parents or legal guardians of deaf infants.

- An approved facility shall have a physical plant and be appropriately equipped to serve infants who are deaf, and shall be subject to a site visitation by the Commissioner.

- An approved facility shall adhere to all provisions of paragraph (7) of Subdivision (b) of Section 200.7.

- An approved facility shall employ teachers of the deaf or teachers of the speech and hearing handicapped who are certified or licensed pursuant to Section 80.6 or Subdivision 80.2 (j) of Subchapter C.

The State Education Department maintains a list of programs approved to serve deaf infants.

State Reimbursement and Facility Reporting Procedures

State-operated and State-supported schools and facilities approved to provide educational services to deaf infants shall submit annually, at times designated by the Commissioner, budget forms containing justification for all proposed expenditures for which State aid is required. Such budgets shall indicate by line item all positions and items of proposed expenditure. All payments made to State-operated and State-supported schools and to approved facilities will be in accordance with actual expenditures incurred during the school year for which state payment is sought. Final expenditures are subject to audit by the Department of Audit and Control. In addition, all facilities educating deaf infants shall submit quarterly reports of each deaf infant's attendance in accordance with Education Law, Section 4204-a(2) and semiannual reports of each deaf infant's progress.

If you have any additional questions about the Deaf Infant Program, contact the State Education Department, Office for Education of Children with Handicapping Conditions, Bureau of Program Development or your Early Childhood Direction Center. Copies of the appropriate forms are included in Appendixes B and C of this manual.

STATE-OPERATED AND STATE-SUPPORTED SCHOOLS

State-operated and State-supported schools provide services to blind, deaf and severely physically handicapped children beginning at age three. Generally, day programs are available to eligible students although some facilities may offer a residential program. If available, residential appointments will be considered only when travel arrangements preclude attendance on a day basis, or where the student's educational needs warrant a residential setting.

How Do Parents Apply?

Parents must initiate an application to the Commissioner of Education supported by adequate written evidence of the child's blind, deaf, or severely physically handicapping condition. After review of the application, the Commissioner will direct the parents to make arrangements for an evaluation at one of the State-operated or State-supported schools. The school will evaluate the child's eligibility for its program and notify the parents and the Commissioner of the results of the evaluation and recommend appointment, if appropriate. If the child is not recommended for appointment, the school must notify the parent in a comparable manner of that required under Section 200.5(b) of the Commissioner's Regulations and shall include all reasons for lack of acceptance of the child into the program and recommendations for a more appropriate placement or program. Within 10 days of receipt of the notification, the parent may file a written request with the State Education Department for a hearing before an impartial hearing officer.

Additional information can be obtained by contacting:

New York State Education Department
Bureau of State Operated and State Supported Schools
Room 1074, Education Building Annex
Albany, New York 12234
(518) 474-1960

EXPERIMENTAL PREKINDERGARTEN PROGRAM

Recognizing the importance of the early years as crucial in laying foundations for future physical, intellectual and socioemotional development, the Board of Regents has requested, and the Legislature has allotted, annual appropriations to the State Education Department to support the New York State Experimental Prekindergarten Program for children from low socioeconomic families. From its inception the purposes of the program have been to explore the possibility of having prekindergarten programs administered by public schools, and to determine the possible impact of developmental prekindergarten programs on children's achievement in kindergarten and early elementary grades. The program is administered by the New York State Education Department, Bureau of Child Development and Parent Education. Young handicapped children who meet eligibility guidelines and can benefit from an integrated classroom setting may be served in the program.

Districts may submit proprosals, which are reviewed based upon the district's ability to address:

- Plans which reflect sound knowledge of principles of human growth, development and learning theory, and which reflect a recognition of the importance of involving parents in the educative process of their children;

- Community need as documented by the approximate number of families in the school district eligible for the program, supported by sources of information (e.g., census data, school census data, data from other helping agencies);

- Provisions to meet all requirements as they apply to the components, comprehensive health and social service, parent involvement, a child development program, and provisions to meet mandates applying to all public school programs;

- Commitment to providing continuity for children and families through comprehensive, developmental follow-through programs and through on-going staff development;

- Compliance in providing required data relative to an evaluative design;

- Reasonable per capita costs documented in the budget.

Daily programs provide an individualized approach which emphasizes the importance of independence in children's physical, socioemotional and intellectual development. Contact your local school district to determine if it has an experimental prekindergarten program. Further information can be obtained from:

New York State Education Department
Bureau of Child Development and Parent Education
Room 356, Education Building Annex
Albany, NY 12234

HEAD START

In New York State, Head Start programs offer preschool handicapped children an opportunity to receive services with nonhandicapped children. Head Start is a Federal project which provides a comprehensive child development program for income eligible preschool children between ages three and five and their families. Local agencies apply directly to the Federal government to receive Head Start grants. Grantees offer educational programs, social services, a parent program and health services (including medical, dental, nutritional and mental health) to each child enrolled in the program.

Head Start programs must make at least 10 percent of the total number of enrollment opportunities available to handicapped children. To be considered for enrollment, each handicapped child must meet eligibility requirements in regard to age and family income.

The Head Start program has developed a national network of Resource Access Projects (RAPs) which assist local Head Start programs in implementing services to handicapped children. RAP staff provide training and technical assistance in New York State and work with schools and other agencies in facilitating the transition of handicapped children from Head Start to local district programs. They also collaborate with the State Education Department and other agencies in developing plans for serving preschool handicapped children in order to ensure maximization of limited resources.

For further information about Head Start services in New York, contact the State Education Department, Bureau of Program Development or the Resource Access Project at:

New York University
Office of Community Service Programs
3 Washington Square Village, Suite 1M
New York, NY 10012
(212) 598-2144, 2155

FAMILY COURT PETITIONING

Some special education programs providing services to young handicapped children below the age of five receive funding when parents petition for the costs of these services through Family Court. These programs are available in various public and private agencies throughout New York State.

What is Family Court?

In accordance with Section 236 of the Family Court Act and Section 4406 of the Education Law, parents of handicapped children below the age of five may petition the Family Court in their county of residence for the costs of tuition, transportation and maintenance for special education programs for the school year and summer months. Children handicapped because of mental, physical or emotional reasons as defined in Part 200 of the Commissioner's Regulations are eligible for this type of funding. Upon receipt of the petition, the Family Court judge may issue an order to approve costs in appropriate cases. Costs are then charged to the county. If the Commissioner of Education approves the order for the Family Court based upon an individual review of the child's program, and if the child's program meets certain minimum requirements, the State Education Department will reimburse the county for up to 50 percent of the amount ordered by the Court. Many Family Courts wait for a recommendation from the State Education Department before making a decision about petitions.

There are 62 counties in New York State and the process for petitioning in each county varies. Understanding and accessing the petitioning process can be difficult for even the most resourceful parent, especially a parent who is attempting to secure funds for the first time. Oftentimes the agency the child will be attending will help the parent petition. However, since the process can be cumbersome, even agency personnel have experienced problems in understanding all the steps and paperwork involved in successfully completing the process. The

following section will attempt to clarify the major steps in petitioning through Family Court.

Major Steps In Petitioning

The process of petitioning for costs of special education programs for handicapped children below the age of five involves a series of major sequential steps. It is important to recognize that various policies and procedures may alter these steps in specific localities.

A. Child Identified as Handicapped

Initially, the child must be identified as having a handicapping condition requiring a special education program. This is usually accomplished after an evaluation by a multidisciplinary team which may include physicians, psychologists, special educators, therapists and other related professionals.

B. Appropriate Program is Located

After a child is identified as handicapped and needing a special education program, the parent locates a program which meets the child's needs and agrees to accept the child. Programs are not mandated to service preschool handicapped children and may choose which students they desire to service. In some cases the parent may realize that his or her child needs services, but a final diagnosis may not have been made. Many programs will evaluate the child upon parental consent prior to entry, to determine if the child is handicapped and if the general program is suitable for the child's needs. Upon acceptance into the program, transportation would be arranged and the costs for tuition and transportation would be established.

C. Parents Petition Family Court

A 2-1 form, included in Appendix D of this manual, is used for petitioning the Family Court. Copies may be obtained from:

New York State Education Department
Bureau of Special Program Review
Room 465, Education Building Annex
Albany, NY 12234

This form must be completed and filed with the Family Court in the parents' county of residence. A copy should be sent to the State Education Department. The person responsible for sending a copy to the State Education Department varies among counties.

In completion of the 2-1 form, it is important to note that both a physician and a school psychologist must certify the child's handicapping condition on the form. The superintendent of the school district in which the child resides should also sign the form. Copies of the completed form should be mailed to the address previously noted.

D. State Education Department Reviews Petition

Upon receipt of a copy of the 2-1 petition form, the State Education Department conducts an individual review of the program for each child to ensure that the program is providing appropriate services as outlined in the child's Individualized Education Program. Each child's program must meet certain minimum criteria for the State Education Department to recommend prior approval to the Family Court (see p. 12). Programs may be asked to submit additional information as a result of a review of a child's petition that will assist the State Education Department in determining whether the child's program meets the minimum criteria. The timely submission of this information will help prevent lengthy delays in receiving prior approval by the Department.

E. Letter of Prior Approval/Disapproval Issued

When a review of the child's individual program is completed, a letter of prior approval or disapproval is issued by the State Education Department for each child's petition. This recommends to the court whether or not the State Education Department would approve a court order for services shown on the petition, if so ordered by the Family Court, and thereby reimburse the county for up to 50% of the costs ordered. The letter of prior approval is sent to the clerk of the Family Court, the petitioner, superintendent of schools, school of placement, the attorney (if one is indicated) and other local designees.

Since preschool special education programs are not currently mandated under Part 200 of the Regulations of the Commissioner, schools or agencies with programs serving handicapped children below the age of five may not apply for approval as an approved school program through the State Education Department.

F. Family Court Issues Court Order

After receiving a letter of prior approval or disapproval, Family Courts will issue a court order for payment (2-2), or a court order dismissing the petition. If the Family Court issues a court order for payment (2-2), a copy is sent to the State Education Department. A copy of the 2-2 is included in Appendix E of this manual.

Some Family Courts may issue an order for payment without having received the prior approval letter from the State Education Department. In these cases, the State Education Department reviews the petition and court order to determine if the minimum criteria for Department approval was met. Contact the local Family Court or Early Childhood Direction Center to determine whether or not this Family Court waits for Department approval prior to issuing an order.

It is important to note that courts may issue an order dismissing a petition even if the State Education Department issues a letter of prior approval. The court is, by law, the decision maker. If the petition is dismissed, the petitioner may want to ask the court for an explanation of why the petition was not approved. Perhaps some modifications are necessary and can be made with relative ease. The petitioner has the right to appeal any court decision through appropriate legal channels.

G. State Education Department Issues Certificate of Approval

A final certificate of approval (HC-5) will then be issued by the State Education Department after receipt of the court order (assuming the Department has approved the individual child's petition as previously described). The HC-5 is sent to the County Board of Supervisors, Family Court, Service Providers, Office of Fiscal Management and other local designees.

H. Agency or Vendor Transacts Reimbursement Through County

The vendor or agency providing service as ordered by the Family Court should contact the County Board of Supervisors or the Family Court for information regarding the local process of reimbursement. Providers are reimbursed directly from the county and not through the State Education Department. Each local area has different procedures regarding forms and timelines for reimbursement. The Early Childhood Direction Centers can assist with the process.

I. County Transacts Reimbursement with State Education Department

The county will receive reimbursement for expenses approved by the Commissioner and ordered by the county upon submission of voucher forms to the State Education Department. These must be submitted to the State Education Department, Office of Fiscal Management.

Minimum Criteria for Prior Approval for Family Court Petitions by the State Education Department for Handicapped Children Below the Age of Five

The following procedures must be followed for each handicapped preschool child before prior approval can be recommended to the Family Court Judge by the State Education Department:

Handicapping Condition

The children's handicapping conditions should be identified by a physician, psychologist and other appropriate, certified professionals. Whenever possible, the children should be reviewed by the local Committee on the Handicapped in the district of residence. Children handicapped because of physical, mental or emotional reasons, as defined in the Commissioner's Regulations, will be eligible for petitioning.

Date of Birth

Preschool children identified as handicapped are eligible if they are between the ages of birth and five years and are not eligible to attend a public school program because of age. A child is eligible to attend a public school program during a school year if his or her fifth birthday occurs on or before the first day of December of such school year. Some school districts use a later cut-off date to determine eligibility as a school-age child.

Tuition/Transportation/Maintenance Costs

Costs must be specifically intended for the expenses of special education services to the individual handicapped child, and must be comparable to local costs for similar services provided to school-age handicapped children. Rates will be subject to review by the State Education Department.

Program Requirements

Programs, staffing, certification, class size and services will be reviewed on an individual basis according to the specific needs of the handicapped child identified on the petition. The following minimum requirements are necessary before approval can be granted:

- IEP - An IEP must be developed for each child in a planning conference, in accordance with the Commissioner's Regulations, no later than 30 school days after entry into the preschool program. Instructional and remedial services should be provided promptly following the development of the IEP and reviewed periodically but no less than annually.

- Certification - All teachers providing special education services must be certified in the appropriate area(s) of special education.

- Related Services - These must be provided by appropriately certified or licensed specialists (e.g., speech therapy by a speech therapist, physical therapy by a physical therapist, etc.) for children who require such services.

- Least Restrictive Environment - Each child should be educated in a setting that is closest to his or her district of residence and with non-handicapped children whenever possible.

- Length of Day - Classroom programs for handicapped children birth to five years must be available and offered to the child at least a half-day (2½ hours), five days a week. Exceptions regarding frequency of attendance will be reviewed on an individual basis upon receipt of supporting information from the local Committee on the Handicapped or the physician, psychologist, parents and appropriate specialists. The frequency of contacts and related services should be specified on the child's IEP based upon the individual needs of the child. Supporting information for children attending less than five days per week, 2½ hours per day, should explain that although the program is available a half-day (2½ hours), five days per week, the frequency of attendance is based upon the child's individual needs. Supporting documentation must be signed by the parents, physician, psychologist, and other appropriate specialists, or the COH chairperson and other participants in the IEP planning conference.

- Home-Based Infant (Birth to 2) Programs - Special education services must be offered a minimum of two contact hours per week. Related services should be provided in addition to the minimum. The frequency of contacts and related services should be specified on the child's IEP based upon the individual needs of the child.

Additional Recommendations

General information concerning curricula, staff/pupil ratio, parent involvement and support staff should be readily available. The local Committee on the Handicapped in the district of residence should be notified of each child identified as handicapped. Programs are encouraged to have the local Committee on the Handicapped review each child's placement. Programs must follow the immunization guidelines set up by the New York State Department of Health. Programs must follow health and safety requirements established by the State Education Department.

Dates of Submission

In the past, it has been requested that separate petitions for each time period be filed for preschoolers who are being funded under Section 4406 for both summer and school year special education programs. Originally, this process was initiated to avoid problems spanning different fiscal years. To avoid duplication of effort it will now be acceptable to submit a single petition for a child who is in the same continuous 12-month special education program which is in operation from July 1 through June 30. As always, only petitions that meet the minimum criteria for approval will be approved.

It is important that submission for the same continuous 12-month program have as the beginning date July 1 and that such petitions do not extend beyond June 30 of the school year. For example, it would be acceptable to petition for the same continuous 12-month program beginning July 1, 1982 through June 30, 1983. It would not be acceptable to petition for a period beginning September 1, 1982 through August 30, 1983 since this would extend beyond June 30th of the school year.

Petitions for school year programs (Sept. - June) must be received by the State Education Department on or before June 30th of that school year. Petitions for summer programs must be received on or before June 30th following that summer program. However, programs are stongly encouraged to submit all petitions prior to the initiation of services to avoid delays and cash flow difficulties. Some Family Courts will not consider approval of a petition for services after services have been delivered.

Transportation

When arranging for transportation that will be petitioned for through the Family Court, the appropriate county officials should be contacted so that local requirements are met. For example, some counties require transportation bids to be submitted. Others may have staff designated to coordinate transportation among various carrier routes. Parents can transport their own preschool child and request transportation reimbursement through the Family Court. In other instances, public and private carriers may be utilized.

Suggestions to Prevent Delays

Due to the nature of the process and the large number of parties involved in the various stages of petitioning, it is not uncommon for a petitioner to experience delays. The following suggestions may assist you in preventing these occurrences:

1. File petitions promptly. This can be done before a child is enrolled in order to ensure adequate time for processing. Waiting until the child has been attending for several months may unnecessarily delay payment to service providers.

2. Make sure all forms are completely filled out with the necessary information to prevent delay in processing the petition.

3. Each Family Court may have different procedures and guidelines to follow. Check with the Family Court in your county so you are aware of these procedures.

4. Be sure that the program the child is attending will meet the minimum criteria for approval. If it doesn't, the costs will not be approved by the State Education Department.

5. Promptly send any additional information or supportive documentation requested by the State Education Department.

6. Only request costs for special education programs. Costs for day care and regular nursery school programs are not petitionable since these do not constitute special education programs.

7. Contact the Early Childhood Direction Center nearest you or the State Education Department (518 - 474-5804) if you have questions about the application process.

SPECIAL EDUCATION TRAINING AND RESOURCE CENTERS

A major effort to involve parents in the education of their young handicapped children has been undertaken by the State Education Department through the training activities of the Special Education Training and Resource Center (SETRC) network. The Office for Education of Children with Handicapping Conditions administers and supports this network of 48 training centers. These centers are located in BOCES throughout the state, in large city school districts and at one university. The SETRC network conducts training programs for educational administrators, regular and special education teachers and parents of preschool and school-age handicapped children. The intent of the training objectives for preschool parents and professionals is to help them understand the special needs of the young handicapped child, to increase their skills in parenting or teaching and to encourage cooperation of parents and teachers in meeting the child's individual needs, both in school and at home. Training centers also provide information and resources to parents and teachers.

Training specialists are flexible in arranging training after hours for working parents, and at locations convenient to their homes or work places. For example, in some areas small groups of parents have met with the trainer in the parents' homes. To afford parents and professionals the opportunity to participate, some SETRC programs make babysitting services available through volunteer efforts. A list of Training Centers is included in Appendix F.

APPENDIX A

EARLY CHILDHOOD DIRECTION CENTERS

The Early Childhood Direction Centers, coordinated by the New York State Education Department, are resources for parents of preschool-age children with handicapping conditions. They provide information about special education programs and help parents obtain services for their children.

The following list is provided for you to identify the Early Childhood Direction Center in your area.

Early Childhood Direction Center
c/o Cantalician Learning Center
3233 Main Street
Buffalo, NY 14214
(716) 833-3127
1-800-462-7653

Regional Early Childhood
Direction Center
264 Village Landing
Fairport, NY 14450
or
University of Rochester
Strong Memorial Hospital
601 Elmwood Avenue
Rochester, NY 14642
1-800-462-4344 or
(716) 223-6220

Early Childhood Direction Center
Center of Human Policy
Division of Special Education
and Rehabilitation
Syracuse University
216 Ostrom Avenue
Syracuse, NY 13210
1-800-962-5488
(315) 423-4444, (315) 423-3851

Early Childhood Direction Center
of the Capital Region
Albany-Schenectady-Schoharie
BOCES
Maywood Elementary School
1979 Central Avenue
Albany, NY 12205
1-800-342-1216
or
(518) 456-9071

Early Childhood Direction Center
Franklin-Essex-Hamilton BOCES
Box 28
West Main Street Road
Malone, NY 12953
(518) 483-6523
or
1-800-342-7670

Early Childhood Direction Center
Broome-Delaware-Tioga BOCES
81 Pennsylvania Avenue
Apalachin, NY 13732
(607) 748-8263

Early Childhood Direction Center
79-83 East Chester Street
Kingston, NY 12401
(914) 338-6755

Early Childhood Direction Center
St. Agnes Hospital
305 North Street
White Plains, NY 10605
(914) 682-3507

Early Childhood Direction Center
Pre-Schooler's Workshop
47 Humphrey Drive
Syosset, NY 11791
(516) 364-8580

Early Childhood Direction Center
Suffolk Child Development Center
Hollywood Drive
Smithtown, NY 11787
(516) 724-2402
or
(516) 724-1717

Early Childhood Direction Center
United Cerebral Palsy of Queens
82-25 164th Street
Jamaica, NY 11432
(212) 380-3000 Ext. 265

Early Childhood Direction Center
NICU Jewish Hospital
and Medical Center of Brooklyn
555 Prospect Place
Brooklyn, NY 11238
(212) 240-1894

Early Childhood Direction Center
New York Hospital
525 East 68th Street
New York, NY 10021
(212) 472-6535

Coordinating Office:

New York State Education Department
Office for Education of Children with
Handicapping Conditions
Bureau of Program Development
Albany, NY 12234
(518) 474-5804 or 8917

Appendix B

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Office for Education of Children with Handicapping Conditions
Bureau of Program Development (EBA 1061)
Albany, New York 12234

FACILITY APPLICATION FOR PROVISION OF SERVICES FOR DEAF INFANTS

Name of Agency_____

Address_____
(Street)

_____
(City) (State) (Zip Code)

County_____

Contact Person_____ Title_____

A. Facility

Rooms Available	Description of Room (Equipment, Sink, Restrooms, etc.)	Square Feet	Acoustically controlled (Yes or No)

Does facility adhere to all fire and saftey regulations of the fire district in which it is located? Yes No

(Attach report signed by Chief of Fire District)

Is the location of services accessible to handicapped individuals? Yes No

B. Audiological Testing Equipment

Describe Audiological Testing Equipment:

C. Educational Personnel

Home of Teacher	Area of Certification	Date of Cert.	Certifying Agency and #	Highest Degree Earned	Post Degree Training

Other Services Available

(Include Diagnostic and Direct Services)

Service	Service Provider	Cost to Parents (Yes/No)

D. Educational Program

	Program Objectives	Major Activities	Criteria	Evaluation Devices
Auditory Stimulation				
Speech				
Speech Reading				
Language				
Oral Communication				
Manual Communication				
Combination of Oral and Manual Communication				

(Attach Additional Information)

	Yes	No
Is instruction provided to child individually?		
Is instruction provided to parent individually?		
Is instruction provided to parents with child?		
Is instruction provided to child in a group? If yes, specify average number in group:_____		
Is instruction provided to parents in a group? If yes, specify average number in a group:_____		
Is instruction provided to parents with child in a group? If yes, specify average number in group (partners):_____		
Are individual sessions available to be delivered in the home? If yes, is this option made available to all parents? If no, would you be willing to make this available upon parental request?		

Attach agency fee schedule for all educational services to deaf infants (including cost per session of services to deaf infants)

Are you eligible to receive financial assistance through the Health Department for medical patients?

Are you eligible to receive financial assistance for infants approved under medical rehabilitation?

Do you receive monies from private insurance agencies on behalf of parents?

List and describe in-kind support

List # of Deaf Infants served for past three years by year:

	Year	Number Served
1.		
2.		
3.		

Signature of Authorized Official _____

Title _____

Date _____

APPENDIX C

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Office for Education of Children with Handicapping Conditions
Bureau of Program Development (EBA 1061)
Albany, New York 12234

APPLICATION FOR TUITION ASSISTANCE PROGRAM FOR DEAF INFANTS

Infant's Name_____ Sex_____

Infant's Birthdate_____Mo._____Day_____Yr. Age in Months_____

How long has this infant been a resident of New York State?_____

STATEMENT OF PARENT OR LEGAL GUARDIAN

I, the parent or legal guardian of the above named infant, hereby apply for admission for my deaf infant to the deaf infant program at (fill in name of approved agency)_____ and for State assistance for the approved educational program. I, hereby, grant permission for the release to the State Education Department of necessary documents to support my infant's eligibility for entrance into the deaf infant program in public or private agencies approved by the Commissioner of Education and for continuation therein. I declare that I am not presently eligible for or receiving financial support for the requested educational service from any State or local government agency or through private insurance.

Name of Parent or Legal Guardian_____

Signature_____ Date_____

Address_____

City_____County_____

Telephone No._____ _____.
Area Code

Is this the child's primary handicapping condition? _____Yes _____No

If no, what is the child's primary handicapping condition?

List other evaluations that have been done.

Audiological Evaluation Summary

Summarize the findings of the audiometric and tympanometric testing. Include a description of other tests used, the dates of testing, the degree of hearing loss, and the current amplification and additional amplification needs. Indicate the educational implications. (Attach a copy of the audiological evaluation)

Signature of Audiologist_____

License Number_____

Address_____

_____

Telephone_____

Otological Evaluation Summary

Summarize the findings of the otological evaluation including a description of hearing impairment, medical diagnosis and recommendations.

Signature of Physician_____

Address_____

_____

Telephone Number_____

APPENDIX D

Sec.236 F.C.A. FORM 2-1

PETITION - COSTS OF SPECIAL EDUCATION SERVICES
FOR THE EDUCATION OF HANDICAPPED CHILDREN

FAMILY COURT OF THE STATE OF NEW YORK, COUNTY OF_____

In the Matter of Docket No.

_____
A Handicapped Child PETITION

Respondent

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows (upon information and belief) that:

1. Petitioner (resides at)(is located at)_____,
(Street) (City) (Zip Code)
and is (state relationship to child)(if unrelated, e.g. foster parent, agency, institution, etc., so state)_____.

2. _____was born on the _____day of _____19____,and resides at_____, _____,
(Street) (City) (Zip Code) (County)
New York, in the school district of_____.

3. _____is a handicapped child as defined in subdivision one of section 4401 of the Education Law, in that (s)he has been found to be*

☐ Autistic	☐ Deaf	☐ Orthopedically Impaired
☐ Emotionally Disturbed	☐ Hard of Hearing	☐ Other Health Impaired
☐ Learning Disabled	☐ Speech Impaired	☐ Multiply Handicapped
☐ Mentally Retarded	☐ Visually Impaired	

4. The condition above indicated began on or about_____, 19____, is unable to attend school (and requires a continuation of special educational services during the summer months).

5. The following services are necessary for the education of the above-named child:

A. Tuition Costs

1. Tuition payment request to _____
(Name of School of Placement)

_____
(Address of School of Placement) (Zip Code) (Telephone Number)

2. Tuition Rate $_____ (as applicable to dates of attendance)

3. Dates of Attendance

From: ___/___/___ MO DA YR

To: ___/___/___ MO DA YR

B. Maintenance Costs

1. Maintenance payment request for child living at_____
Name of Board Home if Other than School of Placement

_____
(Address of Boarding Home) (Zip Code)

2. Maintenance Rate $_____ (as applicable to dates of attendance)

3. Dates of Residence

From: ___/___/___ MO DA YR

To: ___/___/___ MO DA YR

*Check primary handicapping condition of the child.

4. If in boarding home, is boarding home licensed and supervised by local Commissioner? Yes ☐ No ☐

C. Transportation Costs

1. Mileage requested to _____
(Name and Address of School of Placement)

2. Number of Days _____
Total Daily Mileage _____
Rate per Day $_____
Total Cost $_____

3. Dates of Service
From: ___/___/___ MO DA YR
To: ___/___/___ MO DA YR

4. Name and address of transportation carrier _____
(Name)

_____
(Address) (Zip Code)

5. Does the carrier fully meet requirements of Motor Vehicle Bureau and Public Service Commission? Yes ☐ No ☐

D. Home Teaching

Number of Hours Per Day _____ Rate Per Hour $_____
Number of Days Per Week _____ Total Cost $_____
Total Number of Days _____

6. The certification of the Superintendent of Schools in the district of residence of the above-named child, the certification of the physician and the certification of the psychologist are attached hereto.

WHEREFORE, Petitioner prays that an order be made herein providing for the education of said child and for such other and further and different relief as to the Court may seem just and proper.

STATE OF NEW YORK }
COUNTY OF _____ }ss

_____
Petitioner

_____, being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Petitioner

Sworn to before me this _____ day of _____ 19____

_____
(Notary Public)

.....

This district hereby requests approval for the recommended services.

_____ / _____
Signature of Superintendent of Schools District of Residence Date

_____ / _____
Signature of Physician Date

_____ / _____
Signature of Psychologist Date

(ORDER - Costs of Special Educational Services for Handicapped Children)

At a Term of the Family Court of the State of New York, held in and for the County of _____, at _____, New York, on _____.

P R E S E N T:

Hon. _____
Judge

. . . . . .

In the Matter of

_____
A Handicapped Child

Docket No.

ORDER (Costs of Special Educational Services for Handicapped Children)

Respondent

. . . . . .

A petition under section 236 of the Family Court Act, sworn to on _____, 19 __, having been filed in this Court alleging that _____ is a handicapped child as defined in subdivision one of section 4401 of the Education Law in that (s)he has been found to be*

☐ Autistic	☐ Deaf	☐ Orthopedically Impaired
☐ Emotionally Disturbed	☐ Hard of Hearing	☐ Other Health Impaired
☐ Learning Disabled	☐ Speech Impaired	☐ Multiply Handicapped
☐ Mentally Retarded	☐ Visually Impaired	

and requesting that an order be entered providing for the education of said child; and

The Court, (after hearing the proofs and testimony offered in relation to the case) (upon consent) finds that _____ is a handicapped child as defined in subdivision one of section 4401 of the Education Law and requires special educational services;

*Check primary handicapping condition of the child.

NOW, upon the foregoing findings, and upon all the proceedings had herein, it is hereby

ADJUDGED that the following special educational services are necessary for the education of the above-named child**

TUITION COSTS:_____ MAINTENANCE COSTS:_____TRANSPORTATION COSTS:_____

; and it is hereby

ORDERED that the above-named child shall be furnished the above-indicated special educational services; and it is further

ORDERED that the cost of said services shall not exceed ($)

_____dollars, and the same is hereby made a charge upon the (County of_____)(City of New York).

DATED:_____, 19 __.

ENTER

_____
J.F.C.

**Note Petition request and exceptions or additions and specify tuition costs, maintenance costs and transportation costs.

6/82

APPENDIX F

SPECIAL EDUCATION TRAINING AND RESOURCE CENTERS IN THE NEW YORK STATE TRAINING NETWORK

New York State Education Department
Bureau of Program Development
Education Building Annex - Rm. 1069
Albany, New York 12234
Mr. Lawrence C. Gloeckler, Bureau Chief
Phone: (518) 474-8917

TRAINING SPECIALIST LIST

Albany-Schenectady-Schoharie BOCES SETRC
Maywood Elementary School
1979 Central Avenue
Albany, New York 12205
(518) 456-9069

Allegany BOCES SETRC
Allegany Occupational Center
Angelica Road
Belmont, New York 14813
(716) 268-5681 Ext. 226

Broome-Delaware-Tioga BOCES SETRC
Upper Glenwood Road
Binghamton, New York 13905
(607) 729-9301 Ext. 362

Buffalo City SETRC
School #75
99 Monroe Street
Buffalo, New York 14206
(716) 856-5595

Cattaraugus-Erie-Wyoming BOCES SETRC
Windfall Road
Box 424B
Olean, New York 14760
(716) 372-8293

Cayuga BOCES SETRC
234 South Street Road
Auburn, New York 13021
(315) 253-0361 Ext. 52

Chautauqua County BOCES SETRC
9520 Fredonia Stockton Road
Fredonia, New York 14063
(716) 672-4371 Ext. 278

Clinton-Essex-Warren-Washington BOCES SETRC
Box 455
Plattsburgh, New York 12901
(518) 561-0100

Cortland-Madison BOCES SETRC
McEvoy Education Center
Clinton Avenue Extension
Cortland, New York 13045
(607) 753-9301

Delaware-Chenango SETRC
S.U.N.Y. At Binghamton
Division of Professional Education
Vestal Parkway
Binghamton, New York 13901
(607) 798-6681

Dutchess BOCES SETRC
R.D. #1 Salt Point Turnpike
Poughkeepsie, New York 12601
(914) 471-9200 Ext. 42

Erie BOCES #1 SETRC
2 Pleasant Avenue West
Lancaster, NY 14086
(716) 686-2019

Erie BOCES #2 SETRC
4071 Hardt Road
Eden, NY 14057
(716) 992-3413

Franklin-Essex-Hamilton BOCES SETRC
Box 28-North Franklin Education Center
Malone, New York 12953
(518) 483-1294

Genesee-Wyoming BOCES SETRC
8250 State Street Road
Batavia, New York 14020
(716) 343-1400

Greene-Delaware-Schoharie-Otsego BOCES SETRC
Rexmere Park
Stamford, New York 12167
(607) 652-7531

Hamilton-Fulton-Montgomery BOCES SETRC
FMCC Route 67 Room L210
Johnstown, New York 12095
(518) 762-7754

Herkimer-Fulton-Hamilton-Otsego BOCES SETRC
Gros Blvd.
Herkimer, New York 13350
(315) 867-2000

Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES SETRC
Outer Arsenal Street
Watertown, New York 13601
(315) 782-9229

Livingston-Steuben-Wyoming BOCES SETRC
Holcomb Building
Geneseo, New York 14454
(716) 243-5470

Madison-Oneida BOCES SETRC
Spring Road
Verona, New York 13478
(315) 363-8000

Monroe #1 BOCES SETRC
705 Plank Road
Penfield, New York 14526
(716) 671-8614

Monroe #2-Orleans BOCES SETRC
3599 Big Ridge Road
Spencerport, New York 14559
(716) 352-2443

Nassau County BOCES SETRC
Rosemary Kennedy Center
2850 North Jerusalem Road
Wantagh, New York 11793
(516) 781-4044 Ext. 270-1-2

Oneida-Madison-Herkimer BOCES SETRC
Box 70-Middle Settlement Road
New Hartford, New York 13413
(315) 792-4605 or 792-4614

Onondaga-Madison BOCES SETRC
6820 Thompson Road
Syracuse, New York 13211
(315) 437-0248

Ontario-Seneca-Yates-Cayuga-Wayne BOCES SETRC
Finger Lakes Educational Center
3501 County Rt. 20
Stanley, New York 14561
(716) 526-6042

Orange-Ulster BOCES SETRC
Gibson Road
Goshen, New York 10924
(914) 294-5431

Orleans-Niagara BOCES SETRC
4124 Saunders Settlement Road
Sanborn, New York 14132
(716) 731-4145 Ext. 33

Oswego BOCES SETRC
P.O. Box 488 County Route 64
Mexico, New York 13114
(315) 963-3094

Rensselaer-Columbia-Greene BOCES SETRC
1562 Columbia Turnpike
Castleton, New York 12033
(518) 477-8741

Rochester City SETRC
Central Administrative Offices
131 Broad Street West
Rochester, New York 14608
(716) 325-4560 Ext. 2710

Rockland BOCES SETRC
61 Parrott Road
West Nyack, New York 10994
(914) 623-3828 Ext. 266

St. Lawrence BOCES SETRC
Potsdam Central School Red Annex
Leroy Street
Potsdam, New York 13617
(315) 265-8116

Saratoga-Warren BOCES SETRC
Meyers Education Center
Henning Road
Saratoga Springs, New York 12866
(518) 584-3239

Schuyler-Chemung-Tioga BOCES SETRC
431 Philo Road
Elmira, New York 14903
(607) 739-3581

Steuben-Allegany BOCES SETRC
Board of Education
Seneca Street
Hornell, NY 14843
(607) 324-5893
Mailing Address:
Wildwood Campus-Bldg. #3
North Main Street Ext.
Hornell, New York 14843

Suffolk #2 BOCES SETRC
Greene Avenue School
Greene Avenue
Sayville, New York 11782
(516) 567-1121

Sullivan BOCES SETRC
Ferndale Loomis Road
Box 391
Liberty, New York 12754
(914) 292-7500

Syracuse City SETRC
Percy Hughes School
345 Jamesville Avenue
Syracuse, New York 13210
(315) 425-4685

Tompkins-Seneca-Tioga BOCES SETRC
555 South Warren Road
Ithaca, New York 14850
(607) 257-1551 Ext. 276

Ulster BOCES SETRC
175 Route 32 North
New Paltz, New York 12561
(914) 255-1402

Washington-Warren-Hamilton-Essex
BOCES SETRC
Special Education Building
Dix Avenue
Hudson Falls, New York 12839
(518) 793-7721 Ext. 219

Westchester-Putnam BOCES #1 SETRC
Pinesbridge Road
Yorktown Heights, New York 10598
(914) 245-1050 Ext. 245

Westchester BOCES #2 SETRC
Learning Resource Center
Concord Road
Ardsley, New York 10502
(914) 693-7576

Yonkers City SETRC
School #32 Dexter Road
Yonkers, New York 10701
(914) 963-0592